

1 Adopt 2 Cal. Code Regs. Section 18946.6 to read:

2 **§ 18946.6. Reporting and Valuation of Gifts: Air Transportation.**

3 Air transportation that is a gift to a public official shall be valued as follows:

4 (a) For transportation on a “commercial aircraft,” the value of the ticket or fare the carrier  
5 charges to a member of the public for the same transportation provided to the official. For purposes  
6 of this regulation, “commercial aircraft” means an aircraft operated by a person who offers air  
7 transportation to the general public and charges a fare on a per-passenger basis.

8 (b) For all other air transportation, the value of the normal and usual charter fare or rental  
9 charge for a comparable airplane of comparable size, divided by the number of the following per-  
10 sons that share the same flight:

11 (1) “Public officials” as defined in Section 82048.

12 (2) Members of Congress, and officers and employees of the executive, legislative, or judi-  
13 cial branch of the United States government.

14 (c) The actual cost or fair market value of any other personal benefits provided to the offi-  
15 cial during the air transportation, including food, beverages, or entertainment, shall be treated as a  
16 separate gift to the official unless the benefit is included as part of the fare determined in subdivi-  
17 sions (a) or (b).

18 NOTE: Authority cited: Section 83112, Government Code.

19 Reference: Sections 87207, 87302, and 89501 through 89506, Government Code.